

COHALAN MAY ASK PUBLIC INVESTIGATION

Friends of Supreme Court Justice Predict an Emphatic Answer to Connolly's Charges.

DENY BREAK WITH MURPHY

Tammany Boss Has Nothing to Say, Except That His "Name Appears in Most Everything."

It is not the intention of Justice Daniel F. Cohalan to permit the alleged charges made against him by his former friend and client, John A. Connolly, to pass without specific and emphatic answer, it was learned yesterday. Not only will the justice reply to the "allegations" of Connolly that he molested the latter's concern, the Victor Heating Company, for 55 per cent of the profits on city contracts, said to have been obtained through Cohalan's political influence before he was elected to the bench, but he also may take some definite action against Connolly and probably will court a public investigation of the whole matter, it was declared.

Justice Cohalan did not discuss his plans in this respect yesterday. He maintained his attitude of not commenting upon the Connolly story beyond what he said in a statement issued the first day the alleged charges were published. Some of his close friends, however, were good authority for the contemplated answer and action in regard to the Connolly statements.

Justice Cohalan would take care of his end of the matter at what he regarded the proper time, but he did not intend to be drawn into any controversy at present, they said. It is believed he will issue a comprehensive statement, from the Cohalan point of view, before he sails for Europe on June 5.

Why He Quit as Murphy Adviser.

Justice Cohalan's friends were quick yesterday to deny that there had been any "break" between him and Charles F. Murphy. The suggestion made that Murphy and Cohalan had fallen out because the former legal adviser of the Tammany Hall chief had been superseded by Chairman McCall of the Public Service Commission was discredited by Tammany leaders. It was said Mr. Cohalan withdrew as the active political and legal adviser of Murphy when he entered upon his duties on the bench, but only through a sense of the added responsibility of his new post and not because of any differences with Murphy.

Mr. Murphy spent his customary two hours at Tammany Hall yesterday, and when seen there declined to comment in any detail on the attack upon Justice Cohalan. When asked if he had anything to say about the Connolly statements, he replied:

"Nothing to say. It's between them."

"Your name was mentioned in the statements," it was suggested.

"Oh, my name appears in most everything," responded Murphy with a smile. When told of the report that the Connolly "disclosures" made a break between him and Justice Cohalan, the Tammany boss quickly asked if Justice Cohalan had said that he had made no such statement. He answered that he had not, and only repeated that he had nothing to say on the subject.

Alfred B. Cruikshank, the lawyer who represented Connolly in the \$4,000 note transaction, which Connolly alleged he gave to Mr. Cohalan in April, 1911, in the expectation of obtaining a political post through Cohalan, told a Tribune reporter yesterday how he came to write "a letter" to Connolly on Monday night, explaining in a measure the reported discrepancy between the lawyer's published statement that he knew of no other than a business consideration for the note and a letter which Cruikshank wrote to Connolly telling of his visit to Justice Cohalan to solicit a political berth for his client.

Connolly's Visit to Cruikshank.

Mr. Cruikshank said Connolly and "his man" came to his office on Monday night, and Connolly insisted that he be more explicit regarding the circumstances surrounding the making of the note. Mr. Cruikshank explained that while he had no personal knowledge of anything but a business consideration running with the note at the time, he was willing to answer further questions from his former client if Connolly would put his request in writing. Connolly thereupon wrote the letter incorporating his understanding in regard to the note and Mr. Cruikshank dictated his reply, both of which were published in a morning newspaper yesterday.

While the lawyer's letter did not differ materially from his previous statement, he specifically asked Connolly, he said, if he considered the "correspondence" private or if he would object to the letters being made public. Connolly told him, he said, that he considered the "correspondence" a private matter and did not wish them given out.

Patrick J. McNulty, the real estate dealer, who headed the committee of six that called upon Charles F. Murphy at his home March 8, 1909, and complained of Cohalan's treatment of Connolly in exacting tribute from the Victor Heating Company for city contracts, also represented Connolly in this matter, was asked yesterday if he recalled the negotiations and the various conversations credited to him by his client in his statement. He said he could not remember conversations that took place several years ago, and was surprised that Connolly could recall them with such accuracy.

JOHN FERGUSON, THE DIVER.

About to go down in the Central Park reservoir to repair the outlet gates.



DIVER FAILS IN TASK

Tries Twice to Fix Water Gate After Pipe Is Closed.

John Ferguson, the Staten Island diver, sometimes called "Daredevil Jack," made two descents yesterday into the dark waters of a pit about eight feet square and forty feet deep in the gatehouse of the new Central Park reservoir in an effort to set right one of the gates that has been jammed for the last two years. He did not need his "daredevilry," however, for the engineers of the Water Department placed planks in the intake above the broken gate, and a shield across the outlet below, so that he had practically still water to work in.

Ferguson went down twice yesterday, staying once twenty minutes, and the second time fourteen minutes, putting in his time in knocking off the incrustation of rust and other foreign matter that had accumulated on the long-disused mechanism.

Owing to the difficulty of working under water and in complete darkness, he had to give up yesterday after his second trip. He will continue the effort to-day to get the gate back into place. He plans to take a jackcrew with him, so that he can spring it back into its grooves, while the men above force it downward.

TAMMANY NOT TO MOVE

Grand Sachem Denies Report Wigwam Is To Be Deserted.

It was reported yesterday that Tammany Hall had decided to give up its historic home in East 14th street and move further uptown. This report was based upon information that at the meeting of the Tammany Society on Monday night a building committee had been named. The report is not true.

As a matter of fact, it was the annual meeting of the society, and the building committee, which has existed for years under the rules, was reappointed for another year. It consists of Charles F. Murphy, Sheriff Julius Harburger, Thomas F. McAvoy, former Borough President John F. Ahearn and former Fire Commissioner John F. Scannell.

"This building committee," said John R. Voorhis, the grand sachem, last night, "is a standing committee which we have had for many years. It has charge of our present building. Nothing was done looking toward securing a new site. There is nothing more to the story than there has been for several years."

Mr. Voorhis received the honor of being continued as grand sachem for another year without the formality of a re-election. "I have served one term," he said last night, "and was simply continued on 'good behavior.'"

RAZORS IN BARBERS' FIGHT

Members of Rival Unions Battle in Clinton Hall.

Razors and knives were drawn yesterday at a fight between members of rival unions of barbers in Clinton Hall, No. 131 Clinton street. When police of the Delancey street station and other officers found many bleeding and a hand to hand fight going on. Several were arrested, but at the Essex Market court, where the prisoners were taken, no one would make a complaint.

The trouble was started by barbers in the union organized by the Industrial Workers of the World, who broke into a meeting called by the union of barbers in the American Federation of Labor, at which Rubin Guakin, business agent of the union, presided. Chairs were first used as weapons and then razors and knives were drawn. The noise of the battle could be heard several blocks. The police quickly cleared the hall and then made the arrests, which turned out to be useless.

Among those who appeared at first to be seriously injured were Frank Royall, of No. 93 First avenue, and Emil Goda, of No. 10 Goerck street, whose faces and clothing were covered with blood, but it was found they had only bruises and scalp wounds. Several others, however, were badly slashed with razors or knives, among them being Jacob Kronn, of No. 23 East 8d street, who had several cuts about the face, one of which was five inches long.

Mr. Cruikshank, who also represented Connolly in this matter, was asked yesterday if he recalled the negotiations and the various conversations credited to him by his client in his statement. He said he could not remember conversations that took place several years ago, and was surprised that Connolly could recall them with such accuracy.

MARCONI STOCK IN SUIT

Action in Brooklyn to Impress Trust Upon 150,000 Shares.

VALUE PUT AT \$1,500,000

Plaintiff Alleges Court Was Not Told United Co.'s Assets Were To Be Resold.

Joseph V. Witherbee began action before Justice Scudder, in the Supreme Court, Brooklyn, yesterday, to impress a trust upon 150,000 shares of the stock of the Marconi Wireless Telegraph Company of America, valued at \$1,500,000. The defendants are the members of the reorganization committee of the United Wireless Telegraph Company and the Wireless Liquidating Company. The United Wireless Telegraph Company was declared a bankrupt in the fall of 1911. Mr. Witherbee owns fifty shares of the capital stock of the United Wireless Company, but acts in the suit in behalf of himself and many of the other shareholders.

Mr. Witherbee declares in his complaint that the company is not now and for some time past has not been insolvent. He says that there are about 1,500,000 shares outstanding, valued at \$12,000,000. He also declares that the company's assets are worth upward of \$2,000,000, while its debts are not more than \$200,000.

The reorganization committee derived on a plan of reorganization, according to the complaint, made a preliminary agreement concerning the assets of the bankrupt with the trustees and sent a circular letter to each of the stockholders, enclosing a proposed subscription form, dated February 1, 1912. Owing to litigation concerning the assets was changed, and in its new form was presented to the court by a petition of the trustees in bankruptcy in March, 1912. The creditors were notified and held a meeting to pass upon the plan.

The trustees in April, 1912, got an order from the court to allow the sale of the assets of the bankrupt to the Marconi Wireless Telegraph Company, Limited, an English corporation, and to the defendants. The plaintiff declares that the sale was unnecessary, as the assets of the bankrupt in the hands of the trustees were sufficient to pay all outstanding claims proved against the company, amounting to \$400,000.

The plaintiff alleges that the trustees received a bid of from \$200,000 to \$300,000, which they did not accept. "For the reason that the defendants persuaded them not to do so, but requested said trustees to allow them to buy the property and make a resale to the Marconi Company of America. In acting upon the defendants' representations the trustees believed that the defendants represented the entire body of stockholders."

The plaintiff says that it was not told to the court that the reorganization committee was to make a resale of the assets to the Marconi Wireless Telegraph Company of America "for stock having an immediate market value of approximately \$1,500,000." In April, 1912, according to the plaintiff, the committee notified the stockholders of the bankrupt that they had to make a deposit of 50 cents a share if they expected to participate in the advantages of the Marconi contract. In consequence, the stockholders turned in about 60,000 shares of stock and paid to the committee about \$30,000. Many of the stockholders could not be found, or were without funds, and so could not comply with the conditions. Mr. Witherbee says that he thinks that it would be just to distribute the shares of Marconi stock turned in to the reorganization committee in payment for the assets pro rata among the stockholders of the bankrupt. He says the committee members are now likely to keep all the benefits themselves.

The defendants say in their answer that Mr. Witherbee and the stockholders he represents are entitled to no consideration, since they did not comply with the conditions laid down by the reorganization committee.

FLOOD RELIEF FUND AMPLE.

The American Red Cross announced yesterday that the funds in its charge would be sufficient for the work of relief in the flood districts.

LOWERS TAXI TARIFF:

BARS PRIVATE STANDS

Reform Ordinance Passed by Aldermen with McCann's Lone Vote in Opposition.

"COWARDICE" PLEA FAILS

Newspaper Coercion Backed by a Hypocritical Mayor, Asserts Mulligan—Constitutionality Would Be Tested.

The Board of Aldermen rushed the new taxicab ordinance through yesterday by a vote of 25 to 1. Alderman McCann, of the taxicab committee, cast the negative vote without explanation.

On the first roll call there were forty-nine votes for the ordinance and one against it. Sixteen of the aldermen present attempted to dodge the vote, but the call for absentees brought them all into the light, and once there none but McCann wanted to be recorded in opposition.

The new ordinance, which, if the Mayor approves, will become operative sixty days after it is signed, abolishes the private taxicab stand business in front of hotels, clubs and other places and provides that the maximum rate shall not be in excess of 50 cents for the first mile and 40 cents for each additional mile for one and two passengers, and 70 cents for the first mile and 60 cents for each additional mile for three or more passengers. The initial charge is to be 30 cents for one or two passengers and 40 cents for three or more.

One last attempt, and that a half-hearted one, was made to delay the passage of the new ordinance by Alderman Thomas Mulligan, of The Bronx. He presented a resolution which recited that in view of the uncompleted grand jury investigation of the taxicab matter it would be moral cowardice on the part of the aldermen to take up the proposed ordinance before the inquiry was completed. Mulligan's resolution proposed to lay over the consideration of the ordinance.

In defence of his resolution, after Alderman Neill had attacked it, Mulligan declared "the newspapers were trying to coerce the Board of Aldermen" and that they "had received the backing of a hypocritical Mayor." He thought it would be taking resolutions from the grand jury room instead of from the Board of Aldermen.

Alderman Bolles said the question was one on which the aldermen should "stand up and be counted." Alderman Iglestader thought Mulligan's resolution was "the most ridiculous ever presented to the board," and "that is going some," he added.

Mulligan's resolution was hopelessly lost on a viva voce vote, and Alderman Grimm moved for the adoption of the taxicab committee's report embodying the new ordinance. Mulligan recorded himself in favor of the ordinance, in spite of his previous declarations that he "would not be coerced into voting for the ordinance at the demand of a hypocritical Mayor."

Assistant District Attorney Joseph Du Vivier, who has had charge of the taxicab matter before the grand jury, thought the ordinance would go a long way toward improving conditions.

"The abolition of the private stands is the best feature of the ordinance," he said, "and that alone will bring about a general reduction in rates, even if they had not been specifically reduced by the law. With private stands wiped out, the independent taxicab operator will be able to compete on a fair basis with the companies, which previously have been able to shut him out from the best stands. That kind of competition will eventually bring rates down to a proper basis."

Mr. Du Vivier is going over the books of the Yellow Taxicab Company with an expert accountant, and the results of their work will be presented to the grand jury on Thursday.

It is expected that the big taxicab companies will test the constitutionality of the ordinance on the ground that the city has no power to fix rates for a private corporation, but announcement of their plans is withheld until the ordinance becomes law.

CHAUFFEUR HELD AS THIEF

Drove Car in Which Jersey Man Lost Gems and Cash.

Benjamin D. Baker, a chauffeur, of No. 424 East 14th street, was held in \$2,500 bail by Magistrate Marsh in the Harlem court yesterday, charged with being implicated in the robbery of Oswald J. O'Brien, of Lake Hopatcong, while O'Brien was riding in his taxicab Monday night. The police promised to have in court to-day two other men who, O'Brien charges, actually committed the crime.

These two men made the acquaintance of O'Brien at the Marlborough Hotel on Monday night, and the three took a taxicab ride. After stopping at a Sixth avenue restaurant the men continued up the avenue.

O'Brien objected to the direction taken and was about to remonstrate with the chauffeur when the vehicle collided with a surface car at 48th street. Then, according to O'Brien, one of the men in the cab robbed him of jewelry worth more than \$1,300 and a considerable sum of money.

COLLEGIANS CAN'T PLAY HERE

Civil Service Rules Bar Them from Summer Employment.

Although many college athletes, some of them prominent in their special fields, have applied for jobs as attendants in the city's playgrounds during the present summer, they cannot be appointed because they are barred out by civil service requirements. Most of the athletes said they wanted to make enough money in the summer months to help defray their college expenses, and did not know the playground attendants were civil service appointees.

GERMANY BARS "E. FABER"

New York Man Worsted in Legal Battle of Eight Years.

A legal wrangle of eight years in the Bavarian courts between A. W. Faber, German pencil manufacturer, and Eberhard Faber, of New York, has been settled in favor of the defendant German firm.

In 1901 A. W. Faber obtained a decree in the Circuit Court of the United States perpetually enjoining Eberhard Faber from using the name Faber without qualification on pencils or stationery. While this suit was pending the German action was instituted to establish the New York manufacturer's right to use the name of "E. Faber."

HUNTS THE AFRICAN DIK DIK

Oryx, Geranuk, Congonian, Klip-Springer and Impalla Fall Before the Rifle of Oklahoman Jungle Follower of T.R.—Back in African Togs.

Arrayed in a pith helmet, a khaki hunting suit, stained by a thousand-mile jaunt through the jungles and over the African veldt, Charles Cottal, of Ames, Okla., returned yesterday in the steamer Moltke, of the Hamburg-American Line. Mr. Cottal's "civilized" clothes were lost soon after he entered the jungle, four months ago, he explained, and he did not have time to buy another suit.

Thirty-one species of animals, including the dik dik of Roosevelt fame, he said, fell before his rifle. The ship's hold held hides, heads or horns of thirty beasts, to be added to his private collection.

The territory covered by Colonel Roosevelt was Cottal's hunting ground. He said he had hunted in the Rockies of Canada, the United States and Mexico, but never had he enjoyed such sport. With forty native guides, or servants, he entered the jungle, and did not see civilization for 120 days. Six lions fell before his gun, as well as four rhinoceroses.

The law allowed him to shoot only one rhinoceros, he said, but self-defence required his killing the others. In one instance a "rhino" charged him, and was only twenty feet away when he brought his rifle into play and it fell dead almost at his feet.

He brought home the heads of water buffalo, the skins of leopards, water bucks, impallas, an oryx, a geranuk, three congionians, several dik-diks and a klip-springer, a species of mountain goat. Twenty-four heads and thirty-one skins formed his collection, although he said he abandoned many others, selecting only the best specimens to bring home.

During the trip through the jungle Cottal and his party had several brushes with hostile natives, and in one affray with his guides, a youth of twenty, was killed by a spear. One of the guides had been involved in the transactions whereby Musica and his associates obtained nearly \$1,000,000 on fraudulent invoices.

The grand jury, it is expected, will find several indictments. So far no corroborating evidence has been found for Philip Musica's assertions regarding his Wall Street stock marketing manoeuvres. If any is found that subject will be taken up later. So far the inquiry has concerned itself solely with the transactions in the commercial swindles conducted by the Musicas.

The witnesses called by William Dean Embree, Assistant District Attorney, so far are James McNeil, of the Bank of the Manhattan Company, agent of the French Cable Company, and Philip Musica.

Philip Musica's sentence was postponed indefinitely at the request of Mr. Embree. The indictment to which he pleaded guilty charges him with the theft of \$15,300 from J. & W. Seligman, bankers.

New Orleans, May 27.—In an opinion today in the United States District Court in the proceedings against A. Musica & Sons and Arthur and Lucy Grace Musica, Judge Foster ordered that the \$75,000 taken from Arthur and Lucy Grace Musica and deposited under order of the First City National Bank in the New Orleans National Bank be turned over to Ezra P. Prentice, of New York, the receiver for A. Musica & Sons.

The decree also includes the note for \$25,000 insurance policy and other assets taken from Philip Musica and various small amounts taken from other members of the family. Two lawyers had been fighting for fees for defending the Musicas in criminal proceedings.

TRIAL OF BISHOP CASE ON

Banker's Counsel Tests Conclusions of Handwriting Expert

The suit of Mrs. Abigail Hancock Bishop for a divorce from James Cunningham Bishop, a banker, in which Mrs. Lilla Gaines Gwathmey is named as co-respondent, came to trial yesterday in the Supreme Court. Henry W. Taft is counsel for Mr. Bishop, James V. O'Connell and William Travers Jerome represent Mrs. Bishop, while the interests of Mrs. Gwathmey are in the hands of George Gordon Battle, Mrs. Bishop complains of alleged acts of misconduct on the part of her husband at the Hotel Astor covering a period from June to December, 1912.

The first witness was Eugene B. Miller, treasurer of the Hotel Astor, who produced several registers of the hotel. The registers showed that on ten different dates a man and woman representing themselves to be "Dr. and Mrs. J. C. Baer, Philadelphia," occupied rooms at the Hotel Astor.

Mr. Bishop was the next witness. He said he married the plaintiff in 1891 in Chicago and that they had five children, all girls, ranging in age from twenty to seven years. Mr. Jerome had Mr. Bishop identify several letters and checks drawn by him to establish the authenticity of the banker's handwriting.

William J. Kinsley, a handwriting expert, was then called to the stand to give his professional opinion of the entries in the hotel register. He had photographs of the signature, "Dr. and Mrs. J. C. Baer," and also of some letters written by Mr. Bishop, for purposes of comparison. He said the handwritings were the same.

Mr. Taft cross-examined the witness for almost three hours concerning the manner in which he had reached his conclusions. Mr. Kinsley said he had never seen the original entries in the registers until yesterday in court. Justice Gott studied the handwritings with a magnifying glass. The trial will be continued to-day.

BONUS AS A REMEDY

Prevents Requests for Raise, Says "Efficiency" Speaker.

More than three hundred members of the Efficiency Society listened to a discussion on "Office Efficiency" at the May dinner of the society at the Aldine Club last night.

Melvin Dewey said any office could save at least an hour and a half daily by having its letters written in phonetic spelling. Such a saving in time, he adds, might easily mean a saving of one-fifth in salaries.

Leon O. Fisher, third vice-president of the Equitable Assurance Company, described the arrangement of offices in the company's new buildings, which are designed to avoid needless steps and motions. Mason Britton, of the Hill Publishing Company, discussed the use of adding and other machines in promoting celerity and exactitude.

Walter D. Fuller, of the Curtis Publishing Company, said a bonus was the best device to keep employees from asking for a raise, as well as the surest way to increase the quantity and quality of work done. "Five years ago," he adds, "the idea of photographing ledger sheets would have been scoffed at. Now we do photograph them, but on the side photographed we have the things we want people to know, and on the other side we have the things we do not want them to know. This has its advantages."

DELAY IN COTTON DEAL CASE

Taking of testimony by the federal grand jury, before which District Attorney Marshall subpoenaed witnesses for the purpose of reintroducing Frank Hayne, Eugene Seales, William P. Brown and Colonel Robert M. Thompson on charges of conspiring to create a cotton pool, yesterday was indefinitely postponed.



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KNICKERBOCKER, Broadway & 30th St.

Every 8:30. Mat. 7:30. Sat. 8:30

JULIA SANDERSON

In the SUNSHINE GIRL, Caution

CRITERION Broadway & 44th St. Every 8:30

Holiday Matinee Decoration Day (Fri.)

ROBERT HILLIARD

HUDSON Broadway & 42nd St. Every 8:30

Mat. 7:30. Sat. 8:30

THE POOR LITTLE RICH GIRL

FULTON Broadway & 40th St. Every 8:30

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THE MASTER MIND HARRIS, W. 42nd St.

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MY LITTLE FRIEND

LIBERTY Broadway & 42nd St. Every 8:30

Special Mat. Decoration Day (Fri.)

THE PURPLE ROAD

GLOBE Broadway & 40th St. Every 8:30

Mat. 7:30. Sat. 8:30

FRIEDRICH SCHEFF MIELE MODIST

CORT Broadway & 42nd St. Every 8:30

Mat. 7:30. Sat. 8:30

ELTINGE Broadway & 42nd St. Every 8:30

Mat. 7:30. Sat. 8:30